

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DANIELLE JANA E CAMPBELL,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-127
)	Judge Schwab
)	Magistrate Judge Bissoon
COUNTY OF ALLEGHENY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Danielle Campbell's complaint pursuant to 42 U.S.C. § 1983 was submitted to the Court for filing on February 3, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on August 11, 2010, recommended that Defendants' Motion to Dismiss (Doc. 34) be denied with respect to the excessive force claim against Defendant Slaby, but that it be granted as to all other claims, and all other Defendants, without prejudice to Plaintiff's right to amend her Complaint (Doc. 44).

Objections were due on or before August 25, 2010, but none have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 27th day of August, 2010,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (Doc. 44) is DENIED with respect to the excessive force claim against Defendant Slaby.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. 44) is GRANTED as to all other Defendants and all other claims without prejudice to Plaintiff's right to file an Amended Complaint. Plaintiff may file an Amended Complaint on or before September 20, 2010. If Plaintiff chooses not to file an Amended Complaint, all Defendants except Defendant Slaby will be dismissed from this lawsuit.

s/Arthur J. Schwab
Arthur J. Schwab
U.S. District Court Judge

cc:
DANIELLE JANA CAMPBELL
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